

REMARKS

In response to the Office Action mailed December 16, 2005, Applicants respectfully request reconsideration. To further the prosecution of this Application, Applicants submit the following remarks, have canceled claims and have added new claims. The claims as now presented are believed to be in allowable condition.

Claims 1-42 were pending in this Application. By this Amendment, claims 4, 10, 19, 25 and 35 have been cancelled, and claims 43-47 have been added. Thus claims 1-3, 5-9, 11-18, 20-24, 26-34 and 36-47 are pending, of which claims 1, 7, 13, 14, 16, 18, 24, 30, 31, 33, 34, 41 and 42 are independent claims.

Claims 1, 7, 13, 14, 16, 18, 24, 30, 31 and 34 have been amended to incorporate the subject matter of corresponding cancelled claims. Thus claim 1 now includes the subject matter of cancelled claim 4; claim 7 includes the subject matter of cancelled claim 10, etc. Accordingly, the amended independent claims are identical to the corresponding cancelled dependent claims. The Examiner is respectfully reminded of the following provision of MPEP § 706.07(a) regarding when a second office action can properly be made final:

Furthermore, a second or any subsequent action on the merits in any application or patent undergoing reexamination proceedings will not be made final if it includes a rejection, on newly cited art, other than information submitted in an information disclosure statement filed under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17 (p), of any claim not amended by applicant or patent owner in spite of the fact that other claims may have been amended to require newly cited art.

The independent claims are fully equivalent to the corresponding cancelled dependent claims and thus amount to "claims not amended by applicant".

Rejections under §103

Claims 1-17 and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ali (US 6,144,937) in view of Uppaluru (US 5,915,001). Also, claims 18-32 and 34-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ali, Uppaluru, and Day (US 6,243,722). These rejections are respectfully traversed with respect to the claims as amended herein.

In order to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), the Office Action must meet three criteria.

“First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.”

In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

It is respectfully submitted that the above test for obviousness is not met, because the combination of the cited references does not teach or suggest all the elements of the claims as amended.

Claim 1 recites a method in a browser for providing an audibly controlled user interface for a limited communication device. The method includes the steps of (1) receiving speech input information over an interface connection capable of two-way communication with the limited communication device, (2) generating at least one key chunk of information based on the speech input information, (3) generating an audio output developed from a response document based on the at least one key chunk of information, and (4) providing the audio output over the interface connection to the limited communication device in response to generating the audio output, wherein the step of generating the at least one key chunk of information comprises generating the at least one key

chunk of information by an automatic speech recognition module deriving the at least one key chunk of information from the speech input information.

The teaching of Ali has been summarized in prior responses. It is noted that Ali, contrary to the assertion in paragraph 8 of the Office Action, does not teach or suggest any use of an automatic speed recognition module. Figure 1 and col. 6, lines 10-15 of Ali describe a modulator and "synthesizer circuitry" (not shown in Ali) that generate modulated signals corresponding to coded digital audio signals from a CODEC 32. Although Ali's circuitry is operating on speech signals, it is not performing speech recognition. Rather, it is merely coding digital samples of an analog audio signal into an encoded form for wireless transmission. The following definitions for "speech recognition" and "speech coding" have been obtained from Wikipedia (emphasis supplied):

Speech coding is the compression of speech (into a code) for transmission with speech CODECs that use audio signal processing and speech processing techniques.

Speech recognition technologies allow computers equipped with a source of sound input, such as a microphone, to interpret human speech, for example, for transcription or as an alternative method of interacting with a computer.

There is no evidence of any interpretation of human speech occurring in Ali. Thus Ali fails to teach or suggest a method in a browser that includes generating at least one key chunk of information by an automatic speech recognition module deriving the at least one key chunk of information from speech input information.

With respect to Uppaluru, the Office Action has not alleged that this reference teaches or suggests the use of an automatic speech recognition module. It is noted that the flow charts of Figures 7 - 10, which include the input

of "voice commands" by a subscriber, all refer to the delivery of a service (e.g. deliver service 705, 804). In Uppaluru, the services are delivered by service agents 201, and not by the "voice web browser" 106. Thus to the extent that Uppaluru may employ speech recognition, it does not do so within a browser as set forth in claim 1.

Based on the foregoing, the Ali and Uppaluru references do not alone or in combination teach or suggest a method in a browser that includes generating at least one key chunk of information by an automatic speech recognition module deriving the at least one key chunk of information from speech input information, and therefore these references cannot render claim 1 obvious under 35 U.S.C. § 103(a). Accordingly, claim 1 is seen to be allowable in view of these references and the other art of record.

Claim 18 recites a method in a server for providing an audibly controlled user interface for requesting call services over a network. The method includes (1) accessing an application defining tagged document in response to a request received over the network, (2) providing a response suitable for audio output based on the application defining tagged document and the request, (3) receiving at least one key chunk of information over the network based on speech input information based on the response, and (4) initiating a call service in response to receiving the at least one key chunk of information, wherein (i) the step of accessing the application defining tagged document comprises accessing an extensible markup language document, and (ii) the step of providing the response suitable for audio output based on the application defining tagged document comprises generating the response based on the extensible markup language document.

As noted in the Office Action, neither Ali nor Uppaluru teaches the use of an extensible markup language application-defining tagged document. Moreover, Day describes the use of XML only in the context of a web-based document review tool which converts the tagged document into a "reviewable" document. It is respectfully submitted that this functionality has nothing whatever

to do with an audibly controlled user interface, specifically nothing to do with providing a response suitable for audio output in an audibly controlled user interface based on an extensible markup language application-defining tagged document. Although the Office Action states that it would be obvious to combine the teachings of Ali and Day because "it would have an efficient system to provide in computer network for assisting user in collectively developing and modifying network-base document", the Office Action does not point to any specific section of Day for such motivation, nor is there seen to be any such motivation in Day or the other art of record with respect to the use of XML in particular. In Day, XML is simply identified as one of several types of tagged documents that might be used as the tagged document source. Thus, even considering the teaching of Day, there is no teaching or suggestion in the combination of Ali, Uppaluru and Day of providing a response suitable for audio output in an audibly controlled user interface based on an extensible markup language application-defining tagged document. If this rejection is to be maintained, it is respectfully requested that it be pointed out where in the references any such teaching is to be found.

Based on the foregoing, claim 18 is seen to be allowable in view of Ali, Uppaluru and Day and the other art of record.

The remaining claims incorporate, either directly or indirectly, features such as those of claims 1 and 18 discussed above, and therefore these claims are also seen to be allowable in view of the cited references for at least the same reasons.

Newly Added Claims

Claims 43-47 have been added and are believed to be in allowable condition, as their subject matter is not seen to be taught or suggested by the art of record. Claim 43 depends from claim 7, and claims 44-47 depend from claim 24. Support for these claims is provided within the Specification, for example, in

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Figures 3 and 5 and corresponding text (pages 22-23 and 26-28). No new matter has been added.

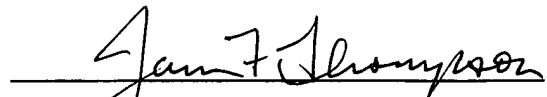
Conclusion

In view of the foregoing remarks, this Application should be in condition for allowance. A Notice to this affect is respectfully requested. If the Examiner believes, after this Response, that the Application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' Representative at the number below.

Applicants hereby petition for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3661.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-2900, in Westborough, Massachusetts.

Respectfully submitted,



James F. Thompson, Esq.
Attorney for Applicants
Registration No.: 36,699
Bainwood, Huang & Associates, L.L.C.
Highpoint Center
2 Connector Road
Westborough, Massachusetts 01581
Telephone: (508) 616-2900
Facsimile: (508) 366-4688

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